

REMARKS

This application has been amended in a manner that is believed to place it in condition for allowance at the time of the next Official Action.

Claims 1-9 and 11-14 are pending in the application. The pending claims have been amended to address formal matters. Additionally, sole independent claim 1 has been amended to incorporate the recitations of claim 10. Claim 10 has been canceled.

In the outstanding Official Action the specification was objected to for not having subheadings. Applicants amend the specification as suggested by the Examiner. As a result, applicants request that the objection be withdrawn.

Claims 1-9 and 12-14 were rejected under 35 USC 102(b) as allegedly being anticipated by KNOPKA. This rejection is traversed.

As noted above, independent claim 1 has been amended to incorporate the recitations of claim 10, which was not subject to the rejection. Accordingly, applicants believe that the present amendment overcomes this rejection.

Claims 10 and 11 were rejected under 35 USC 103(a) as allegedly being unpatentable over KNOPKA. This rejection is traversed.

KNOPKA describes a fire resistant composite yarn having:

- polyester in a ratio from 10% to 90% by weight;
- rayon in a ratio from 90 to 10% by weight; and
- (optionally) polyamide fiber.

However, KNOPKA does not disclose a yarn with a core yarn coating. Additionally, there is no recognition of the claimed core yarn formed with thermostable fiber and the recited mixture comprising the flame retarded fiber and hydrophilic fiber.

Indeed, according to this particular embodiment, there are no coloring constraints of the thermostable fibers because the thermostable fibers are disposed in the core yarn (see page 8, lines 6-8).

This advantage is particularly important because thermostable fibers cannot be printed or dyed with simple techniques (page 6, lines 20-25). Thus, with the claimed yarn, a textile can be dyed with a minimum degree of dichroism in a single phase.

Furthermore, a yarn obtained by a technique of core-spun type, with a core formed with a thermostable fiber, has a high tenacity (page 8, lines 1-10).

As noted above, independent claim 1 has been amended to incorporate the recitations of claim 10. Accordingly, applicants

respectfully submit that KNOPKA fails to render obvious any of the pending claims.

Claims 1-14 were provisionally rejected under the ground of non-statutory obviousness-type double patenting for allegedly being unpatentable over claims 1-13 of co-pending application No. 10/522,803.

Applicants believe that the present amendment overcomes all of the outstanding rejections. Applicants respectfully request that the "provisional" double patenting rejection be withdrawn. The double patenting issue can then be resolved in the co-pending application (see MPEP §804).

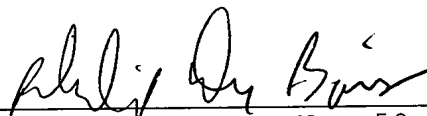
In view of the present amendment and foregoing Remarks, therefore, applicants believe that the present application is in condition for allowance at the time of the next Official Action. Allowance and passage to issue on that basis is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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